

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 28, 2006. Claims 1-53 are pending in the Application and are rejected in the Office Action. For the reasons given below, Applicants believe all claims to be allowable over the cited references. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

Section 102 Rejections

The Office Action rejects Claims 1, 2-7, 9, 15-28, 38-45, and 46-53 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,671,262 issued to Kung et al. ("*Kung '262*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P § 2131 (*emphasis added*).

Claim 1 of the Application recites the following limitations:

A method for device registration replication, comprising:
providing a plurality of call managers in a packet-based network, each call manager controlling one or more devices coupled to the packet-based network and storing composite registration information associated with the devices;
communicating status information from a first call manager to a second call manager in response to a change in the control status of a device; and
updating the composite registration information stored by the second call manager in response to receiving the status information.

Independent Claims 15, 38 and 46 recite similar, although not identical, limitations.

Independent Claim 1 (as well as independent Claims 15, 38 and 46) is allowable because *Kung '262* does not disclose each and every one of these limitations. For example,

Kung '262 does not disclose "communicating status information from a first call manager to a second call manager in response to a change in the control status of a device." The Office Action asserts that this limitation is disclosed by the description associated with steps 1301 and 1315 of Figure 13, which the Office Action characterizes as a "call manager (first call manager) receives a call joining into an existing conference." Applicants fail to see how this disclosure relates in any way to a "change in the control status of a device" or "communicating status information from a first call manager to a second call manager" in response to such a change. First, joining a call into an existing conference call does not relate to a change in the control status of a device. Second, although step 1315 discloses communications between call managers, there is no disclosure that such communications are in response to a change in the control status of a device.

For at least this reason, Applicants respectfully submit that Claims 1, 15, 38 and 46 are in condition for allowance. Thus, Applicants request reconsideration and allowance of these independent claims, as well as the claims that depend from these independent claims.

Furthermore, the claims depending from Claims 1, 15, 38 and 46 are also allowable because *Kung* '262 does not disclose the additional limitations recited in these claims. The Office Action does not address *any* of these dependent claims. As noted above, for a claim to be anticipated under Section 102, the law requires that *each and every element* of the claim be found in a single prior art reference. Thus, this imparts a duty on the Examiner to show how the additional limitations recited in each dependent claim (which by definition are not recited in the independent claim) are shown in the cited reference. That has not been done in this case. Although Applicants believe that each of these dependent claims include limitations that are not disclosed in *Kung* '262, Applicants cannot rebut arguments that have not been made. Applicants respectfully request that the Examiner either provide reasoning as to why each limitation of each dependent claim is disclosed or allow these claims.¹

¹ Furthermore, Applicants note that dependent Claims 22-26, 42-45 and 50-52 recite certain limitations that are similar to certain limitations recited in independent Claims 8, 10 and 14. Thus, in addition to requesting that the Examiner specifically address these claims, Applicants also request clarification regarding what reference(s) the Examiner is using to reject these claims.

Section 103 Rejections

The Office Action rejects Claims 8 and 10-14² under 35 U.S.C. § 103(a) as being unpatentable by *Kung '262* in view of U.S. Patent No. 6,570,855 issued to Kung et al. ("*Kung '855*").

Claim 8 of the Application recites the following limitations:

A method for device registration replication, comprising:
providing a plurality of call managers in a packet-based network, each call manager controlling one or more devices coupled to the packet-based network and storing composite registration information associated with the devices;
determining that a first call manager has gone off-line; and
deleting registration information associated with the first call manager from the composite registration information stored by a second call manager.

Claim 10 of the Application recites the following limitations:

A method for device registration replication, comprising:
providing a plurality of call managers in a packet-based network, each call manager controlling one or more devices coupled to the packet-based network and storing composite registration information associated with the devices;
determining that a first call manager has come on-line; and
communicating local registration information associated with devices controlled by a second call manager from the second call manager to the first call manager.

Independent Claim 14 recites similar, although not identical, limitations as Claims 8 and 10.

In order to establish a *prima facie* case of obviousness, three requirements must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge available to one skilled in the art, to modify a reference or combine multiple references; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or combination of references) must teach or suggest all of the claim limitations. M.P.E.P. § 2143. In the present case, a *prima facie* case of obviousness cannot be maintained at least because neither *Kung '262* nor *Kung '855* disclose each and every limitation of

² Claim 9 has been amended to properly depend from Claim 8.

Claims 8, 10 and 14.

For example, the Office Action states that *Kung '262* discloses determining that a first call manager has gone “off-resources” at step 1309 of that reference (the step relates to the call manager determining that it does not have enough resources). Applicants cannot understand how this relates in any way to the limitations recited in Claims 8, 10 or 14. Furthermore, the Office Action states that *Kung '262* discloses “deleting the call” at step 1323 (which relates to disconnecting a call). Again, Applicants cannot understand how this relates in any way to the limitations recited in Claims 8, 10 or 14. The Office Action then goes on to state, it would seem, that actually none of the limitations of these claims are disclosed in *Kung '262*, but that they would be obvious in light of the skill in the art and the generic teaching of *Kung '855* relating to the use of redundant servers for backup purposes. With all due respect, Applicants cannot understand how any of the disclosure of either of these references is even related a call manager going on- or off-line or communicating or deleting registration information associated with the call manager in response to it going on- or off-line. Activity relating to a call manager going on- or off-line is never addressed in any of the cited references. Applicants respectfully submit that the Examiner has not met his burden of proof under Section 103.

For at least these reasons, Applicants respectfully submit that Claims 8, 10 and 14 are in condition for allowance. Thus, Applicants request reconsideration and allowance of these independent claims, as well as the claims that depend from these independent claims.

Furthermore, the claims depending from Claims 8, 10 and 14 are also allowable because neither *Kung '262* nor *Kung '855* disclose the additional limitations recited in these claims. As noted with the dependent claims above, the Office Action does not address *any* of the claims that depend Claims 8, 10 and 14. Although Applicants believe that each of these dependent claims include limitations that are not disclosed in the references, Applicants cannot rebut arguments that have not been made. Again, Applicants respectfully request that the Examiner either provide reasoning as to why each limitation of each dependent claim is disclosed or allow these claims.

Claims 29-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,760,416 issued to Banks et al. ("*Banks*") in view of *Kung* '262. Claim 29 of the Application recites the following limitations:

A first call manager coupled to a packet-based network, the first call manager comprising:
 one or more device processes controlling one or more devices coupled to the packet-based network; and
 a digit analysis module storing composite registration information associated with the devices;
 the first call manager operable to communicate status information from the digit analysis module to a second call manager in response to a change in the control status of a device controlled by the first call manager.

The Office Action asserts that the database 204 of *Banks* discloses the claimed digit analysis module. However, a database is not a digit analysis module. Furthermore, the database does not store information associated with *devices* coupled to a packet-based network. In addition, the Office Action states that *Kung* '262 discloses "the first call manager operable to communicate status information from the digit analysis module to a second call manager in response to a change in the control status of a device controlled by the first call manager" at step 1317 of Figure 13. However, nothing in this step or elsewhere in the reference relates to a communication between call managers "in response to a change in the control status of a device controlled by" one of the call managers.

For at least these reasons, Applicants respectfully submit that Claim 29 is in condition for allowance. Thus, Applicants request reconsideration and allowance of this independent claims, as well as the claims that depend from these independent claims.

Furthermore, the claims depending from Claim 29 are also allowable because neither *Banks* nor *Kung* '262 disclose the additional limitations recited in these claims. As noted with the dependent claims above, the Office Action does not address *any* of the claims that depend Claim 29. Although Applicants believe that each of these dependent claims include limitations that are not disclosed in the references, Applicants cannot rebut arguments that

have not been made. Again, Applicants respectfully request that the Examiner either provide reasoning as to why each limitation of each dependent claim is disclosed or allow these claims.

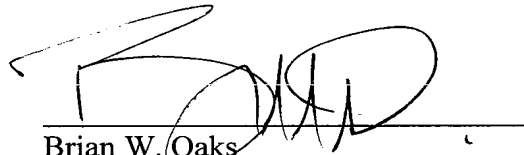
CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants



Brian W. Oaks
Reg. No. 44,981

Date: October 16, 2006

Correspondence Address:

Customer Number 05073